

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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VINCENT DIMICELI,

Plaintiff,

- against -

GALVEX HOLDINGS LTD., GALVEX TRADE LTD,
GALVEX SERVICES OÜ, GALVEX ESTONIA OÜ,
GALVEX INTERTRADE OÜ, GALVEX CAPITAL
L.L.C., ALVAREZ & MARSAL EUROPE LTD.,
SILVER POINT CAPITAL, L.P., SILVER POINT
EUROPE LLP and SILVER POINT GROUP, LLP,

Defendants.
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No. 07 Civ. 4835
ECF Case

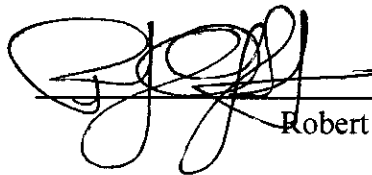
**DECLARATION OF ROBERT O'SHEA IN SUPPORT
OF THE SILVER POINT ENTITIES' MOTION TO
DISMISS**

ROBERT O'SHEA, pursuant to 28 U.S.C. § 1746, states:

1. I am a limited partner of Silver Point Capital, L.P.
2. Silver Point Capital, L.P. is a limited partnership organized under the laws of the Delaware with its principal place of business in Connecticut.
3. I reside with my family in a home that I own in the State of New Jersey.
4. I am registered to vote in the State of New Jersey.
5. I pays taxes as a resident of the State of New Jersey.
6. My car is registered in the State of New Jersey.
7. My driver's license was issued by the State of New Jersey.
8. I consider the State of New Jersey to be my home.

9. I am personally aware of the legal entities affiliated with Silver Point Capital, L.P. and Silver Point Europe LLP. I am advised that an entity called Silver Point Group, LLP has been sued in this action. No entity with that name is affiliated with Silver Point Capital, L.P., Silver Point Europe LLP or any other entity affiliated with those entities. To my knowledge, the entity Silver Point Group, LLP does not exist.

I declare under penalty of perjury that the foregoing is true and correct. Executed on August 20, 2007.


Robert O'Shea